

# SUMMARY

## B.H.Q.A. MEETING OF OCTOBER 11, 2006

**MEMBERS PRESENT:** Elizabeth Gallman, Brent Thompson, Susie Hamilton, Kris Floyd

**MEMBERS ABSENT:** Ben Mitchell, Sandi Cole

**STAFF PRESENT:** Lisa Abbott, Rhonda Helms, Kevin Bowlen, John Hewett, Barry Collins, Carol Jack, Jo Stong

**OTHERS PRESENT:** Gary Tarter, Norma Jain, Bill Sturbaum, Mark Rothrock, Mike Carmin, Brian Lyday

Chairperson, Gallman called the meeting to order on 10/11/06 at 4:00 p.m.

The Summary for September 13, 2006 meeting was submitted for approval. Hamilton made the motion to approve the summary; Floyd seconded. 4-0

### **OLD BUSINESS**

**1108 N. Woodlawn**, Steve Chaplin, 06-TV-078 Owner was not present to request an extension of time to complete repairs.

Staff recommended that the Board grant an extension of time until 04-11-07 for completing exterior repairs.

Thompson made a motion to grant the extension of time according to the staff recommendation; Hamilton seconded. 4-0

**311 S. Rogers St.**, Bill Sturbaum, 06-V-111 Owner was present to request a special exception to the minimum egress requirements and ceiling height requirements.

Staff reported that the upper level bedroom at 313 S. Rogers Street did not meet several criteria outlined in the Code for sleeping purposes. Staff recommended that the Board deny the egress variance with the condition that this room not be utilized for sleeping purposes.

Hamilton made a motion to deny the variance; Floyd seconded. 3-1 [Gallman voted no]  
Gallman made a motion to table the petition; Hamilton seconded. 4-0 TABLED

### **NEW PETITIONS**

**609 S. Walnut**, Gary Tarter, 06-TV-112 Owner was present to request an extension of time to complete repairs.

Staff recommended that the Board grant an extension of time until 03-07-07 for the garage roof repairs.

Hamilton made a motion to grant the extension of time until 03-07-07; Floyd seconded. 4-0

**2002 E. 7<sup>th</sup> St.**, HAND, 06-RV-113 Request that the ceiling height variance be rescinded.

Staff recommended that the Board rescind the variance since the apartment has been remodeled and the ceilings and windows now meet the code.

Floyd made a motion to rescind the variance; Thompson seconded. 4-0

**404 S. Washington**, Mark Rothrock, 06-TV-114 Owner was present to request an extension of time to complete repairs.

Staff reported that the property is currently vacant. Staff recommended that the Board grant an extension of time to complete repairs with the condition that the property be in compliance prior to the property being rented.

Thompson made a motion to grant the extension of time according to the staff recommendation and condition; Floyd seconded. 4-0

**1415 E. Hunter**, ERL-3, LLC, 06-TV-115 Owner was not present to request an extension of time to complete repairs.

Staff recommended that the Board grant an extension of time until 11-11-06 to complete the repairs.

Thompson made a motion to grant the extension of time according to the staff recommendation; Floyd seconded. 4-0

**1655 Oakdale West**, Scott Jeske, 06-V-116 Owner was not present to request a special exception to the minimum egress requirements.

Gallman made a motion to table the petition at the owner's request; Floyd seconded. 4-0

**752 S. Walnut St. #2**, Norma Jain, 06-V-117 Owner was present to request a special exception to allow a furnace in a sleeping room.

Staff recommended that the Board grant the variance to allow the fuel-fired heater to remain in the sleeping room of Apartment #2 with the condition that single and multiple-station smoke alarms shall be installed in the following locations: In each sleeping room; outside of each separate sleeping area in the immediate vicinity of the bedrooms; in each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level. When one or more smoke alarm is required to be installed within an individual dwelling unit the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. Radio frequency interconnection is allowable. Install smoke detector(s) in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. The required smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for over-current protection. Smoke detection shall be maintained in a manner so that it functions as intended and is in compliance with the aforementioned installation requirements. Should the structure ever be determined to be in a state of non-compliance with the abovementioned conditions the variance may be rescinded at the discretion of the code official. A hard-wired battery back-up carbon monoxide detector be installed in the room(s) that is being utilized for sleeping purposes and contains the fuel-fired appliance, and that the carbon monoxide

detector be incorporated into the aforementioned hard-wired smoke detection system. In the event that the fuel-fired heater/furnace should ever be replaced it is to be replaced in a workmanlike manner, and in compliance with all applicable current codes and manufacturer's specifications. Staff recommended a compliance deadline of 12-11-06.

Thompson made a motion to grant the variance according to the staff recommendation; Floyd seconded. 4-0

**707 E. 8<sup>th</sup> St.**, Timarron Real Estate, 06-V-118 Owner was present to request a special exception to the minimum egress requirements.

Staff reported that the third floor bedroom egress window is unusual in that it is a half circle shape. Staff recommended that the Board grant the variance with the condition that single and multiple-station smoke alarms shall be installed in the following locations: In each sleeping room; outside of each separate sleeping area in the immediate vicinity of the bedrooms; in each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level. When one or more smoke alarm is required to be installed within an individual dwelling unit the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. Radio frequency interconnection is allowable. Install smoke detector(s) in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. The required smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for over-current protection. Smoke detection shall be maintained in a manner so that it functions as intended and is in compliance with the aforementioned installation requirements. No furniture or other items shall be located in front of the window. The window sash shall at all times be unobstructed and shall open until the sash rests parallel to the wall. Staff recommended a compliance deadline of 10-31-06.

Thompson stated that he felt that the property didn't need a variance. Thompson made a motion to grant the variance with the condition that HAND request clarification on the window dimensions from the State of Indiana. If the State disagrees with the window computations then grant the variance according to the staff recommendation and conditions; Hamilton seconded. 4-0  
Thompson amended his motion to not limit the rental permit to a three year permit; Hamilton seconded the amendment. 4-0

**904 E. 14<sup>th</sup> St.**, Linda Mjolsnes, 06-TV-119 Owner was not present to request an extension of time to complete repairs.

Staff recommended that the Board grant an extension of time until 11-01-06 for replacement parts to be received.

Thompson made a motion to grant according to the staff recommendation and condition; Hamilton seconded. 4-0

**ADJOURNMENT:** Having no further business to discuss Thompson made a motion to adjourn; Hamilton seconded. Meeting was adjourned at 5:15 pm.